

FOR UTILITY/DESIGN  
CIP/PCT NATIONAL/PLANT  
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL  
DECLARATIONS



RULE 63 (37 C.F.R. 1.63)  
DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION  
UNITED STATES PATENT AND TRADEMARK OFFICE

PM & S  
FORM

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED RAPID TISSUE PROCESSOR the specification of which CHECK applicable BOX(ES).

A.  is attached hereto.  
BOX(ES) → B.  was filed on December 14, 2000 as U.S. Application No. 09/735,918  
→ C.  was filed as PCT International Application No. PCT/ / on   
and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International Application which designated at least one other country than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International Application, filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

<u>PRIOR FOREIGN APPLICATION(S)</u>		<u>Date first Laid-open or Published</u>	<u>Date Patented or Granted</u>	<u>Priority NOT Claimed</u>
<u>Number</u>	<u>Country</u>			

If more prior foreign applications, X box at bottom and continue on attached page.

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

<u>PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)</u>		<u>Status</u>	<u>Priority Claimed</u>
<u>Application No. (series code/serial no.)</u>	<u>Day/Month/Year Filed</u>		
US 60/170,545	14/DEC/1999	pending	X
US 09/136,292	19/AUG/1998	pending	X
US 60/056,102	20/AUG/1997	abandoned	X

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Madison & Sutro LLP, Intellectual Property Group, 1100 New York Avenue, N.W., Ninth Floor, East Tower, Washington, D.C. 20005-3918, telephone number (202) 881-3000 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete names/numbers below of persons no longer with their firm and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above Firm and/or a below attorney in writing to the contrary.

Paul N. Kokulis	16773	Paul E. White, Jr.	32011	Stephen C. Glazier	31361	Adam R. Hess	41835
Raymond F. Lippitt	17519	Glenn J. Perry	28458	Ruth N. Morduch	31044	William P. Atkins	38821
G. Lloyd Knight	17698	Kendrew H. Colton	30368	Richard H. Zaitlen	27248	Paul L. Sharer	36004
Kevin E. Joyce	20508	G. Paul Edgell	24238	Roger R. Wise	31204		
George M. Sirilla	18221	Lynn E. Eccleston	35861	Jay M. Finkelstein	21082		
Donald J. Bird	25323	Timothy J. Klima	34852	Michael R. Dzwonczyk	36787		
Peter W. Gowdey	25872	David A. Jakopin	32995	W. Patrick Bengtsson	32456		
Dale S. Lazar	28872	Mark G. Paulson	30793	Jack S. Barufka	37087		

(1) INVENTOR'S SIGNATURE:

Date: 26 Jan 01

First	Middle Initial	Family Name
Residence	Miami	Florida
City	State/Foreign Country	Country of Citizenship
Post Office Address	1611 NW 12th Avenue, East Tower, Rm. 2046, Miami, Florida	
(include Zip Code)	33136	

(2) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name
Residence	Caracas	Venezuela
City	State/Foreign Country	Country of Citizenship
Post Office Address	Anatomia patologica y citologia, Avenida sucre de los dos caminos, residencia yutaje, pb. loca, Caracas 1071,	
(include Zip Code)	Venezuela	

FOR ADDITIONAL INVENTORS, "X" box  and proceed on the attached page to list each additional inventor.

See additional foreign priorities on attached page (incorporated herein by reference).

Atty. Dkt. No. PMS 266848  
(M#)



**DECLARATION AND POWER OF ATTORNEY**

(continued)

**ADDITIONAL INVENTORS:**

**(3) INVENTOR'S SIGNATURE:**

Date:

First	Middle Initial	Family Name
Residence	Venezuela	Venezuela
City	State/Foreign Country	Country of Citizenship
Post Office Address (include Zip Code)	Anatomia patologica y citologia, Avenida sucre de los dos caminos, residencia yutaje, pb. loca, Caracas 1071, Venezuela	

**(4) INVENTOR'S SIGNATURE:**

Date:

First	Middle Initial	Family Name
Residence	Tennessee	U.S.A.
City	State/Foreign Country	Country of Citizenship
Post Office Address (include Zip Code)	10908 McBride Lane, Suite A, Knoxville, Tennessee 37932	

**(5) INVENTOR'S SIGNATURE:**

Date:

First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	Country of Citizenship
Post Office Address (include Zip Code)		

**(6) INVENTOR'S SIGNATURE:**

Date:

First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	Country of Citizenship
Post Office Address (include Zip Code)		

**(7) INVENTOR'S SIGNATURE:**

Date:

First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	Country of Citizenship
Post Office Address (include Zip Code)		

**(8) INVENTOR'S SIGNATURE:**

Date:

First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	Country of Citizenship
Post Office Address (include Zip Code)		

**(9) INVENTOR'S SIGNATURE:**

Date:

First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	Country of Citizenship
Post Office Address (include Zip Code)		

FOR UTILITY/DESIGN  
CIP/PCT NATIONAL/PLANT  
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As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED RAPID TISSUE PROCESSOR the specification of which (CHECK applicable BOX(ES))

A.  is attached hereto.  
BOX(ES) → B.  was filed on December 14, 2000 as U.S. Application No. 09/735,918  
→ C.  was filed as PCT International Application No. PCT/ / on   
and (if applicable to U.S. or PCT application) was amended on

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PRIOR FOREIGN APPLICATION(S)		Date first Laid-open or Published	Date Patented or Granted	Priority NOT Claimed
Number	Country			

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PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)		Status	Priority Claimed
Application No. (series code/serial no.)	Day/Month/Year Filed		
US 60/170,545	14/DEC/1999	pending	X
US 09/136,292	19/AUG/1998	pending	X
US 60/056,102	20/AUG/1997	abandoned	X

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Madison & Sutro LLP, Intellectual Property Group, 1100 New York Avenue, N.W., Ninth Floor, East Tower, Washington, D.C. 20005-3918, telephone number (202) 881-3000 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete names/numbers below of persons no longer with their firm and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above Firm and/or a below attorney in writing to the contrary.

Paul N. Kokulis	16773	Paul E. White, Jr.	32011	Stephen C. Glazier	31361	Adam R. Hess	41835
Raymond F. Lippitt	17519	Glenn J. Perry	28458	Ruth N. Morduch	31044	William P. Atkins	38821
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Kevin E. Joyce	20508	G. Paul Edgell	24238	Roger R. Wise	31204		
George M. Sirilla	18221	Lynn E. Eccleston	35861	Jay M. Finkelstein	21082		
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Peter W. Gowdey	25872	David A. Jakopin	32995	W. Patrick Bengtsson	32456		
Dale S. Lazar	28872	Mark G. Paulson	30793	Jack S. Barufka	37087		

(1) INVENTOR'S SIGNATURE:

Date:

Azorides	R.	MORALES	
First	Middle Initial	Family Name	
Residence	Miami	Florida	U.S.A.
City	State/Foreign Country	Country of Citizenship	
Post Office Address	1611 NW 12th Avenue, East Tower, Rm. 2046, Miami, Florida		
(include Zip Code)	\$3136		

(2) INVENTOR'S SIGNATURE:

Date: 31/11/2001

Ervin		ESSENFEILD	
First	Middle Initial	Family Name	
Residence	Caracas	Venezuela	Venezuela
City	State/Foreign Country	Country of Citizenship	
Post Office Address	Anatomia patologica y citologia, Avenida sucre de los dos caminos, residencia yutaje, pb. loca, Caracas 1071,		
(include Zip Code)	Venezuela		

FOR ADDITIONAL INVENTORS, "X" box  and proceed on the attached page to list each additional inventor.

See additional foreign priorities on attached page (incorporated herein by reference).

Atty. Dkt. No. PMS 266848

(M#)

JUN 26 2001

## DECLARATION AND POWER OF ATTORNEY

(continued)

## ADDITIONAL INVENTORS:

## (3) INVENTOR'S SIGNATURE:

Date:

1/31/01

First	Middle Initial	Family Name
Residence	Venezuela	Venezuela
City	State/Foreign Country	Country of Citizenship
Post Office Address (include Zip Code)	Anatomia patologica y citologia, Avenida sucre de los dos caminos, residencia yutaje, pb. loca, Caracas 1071, Venezuela	

## (4) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name
Residence	Tennessee	U.S.A.
City	State/Foreign Country	Country of Citizenship
Post Office Address (include Zip Code)	10908 McBride Lane, Suite A, Knoxville, Tennessee 37932	

## (5) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	Country of Citizenship
Post Office Address (include Zip Code)		

## (6) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	Country of Citizenship
Post Office Address (include Zip Code)		

## (7) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	Country of Citizenship
Post Office Address (include Zip Code)		

## (8) INVENTOR'S SIGNATURE:

Date:

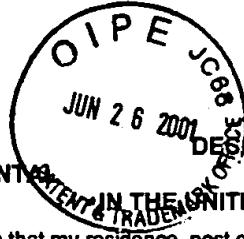
First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	Country of Citizenship
Post Office Address (include Zip Code)		

## (9) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	Country of Citizenship
Post Office Address (include Zip Code)		

FOR UTILITY/DESIGN  
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A.  is attached hereto.  
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Number	Country			

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PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)		Status	Priority Claimed
Application No. (series code/serial no.)	Day/MONTH/Year Filed		
US 60/170,545	14/DEC/1999	pending, abandoned, patented	X
US 09/136,292	19/AUG/1998	pending	X
US 60/056,102	20/AUG/1997	abandoned	X

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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G. Lloyd Knight	17698	Kendrew H. Colton	30368	Richard H. Zaitlen	27248	Paul L. Sharer	36004
Kevin E. Joyce	20508	G. Paul Edgell	24238	Roger R. Wise	31204		
George M. Sirilla	18221	Lynn E. Eccleston	35861	Jay M. Finkelstein	21082		
Donald J. Bird	25323	Timothy J. Klima	34852	Michael R. Dzwonczyk	36787		
Peter W. Gowdey	25872	David A. Jakopin	32995	W. Patrick Bengtsson	32456		
Dale S. Lazar	28872	Mark G. Paulson	30793	Jack S. Barufka	37087		

(1) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name
Residence	Florida	U.S.A.
City	State/Foreign Country	Country of Citizenship
Post Office Address	1611 NW 12th Avenue, East Tower, Rm. 2046, Miami, Florida	
(include Zip Code)	33136	

(2) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name
Residence	Venezuela	Venezuela
City	State/Foreign Country	Country of Citizenship
Post Office Address	Anatomia patologica y citologia, Avenida sucre de los dos caminos, residencia yutaje, pb. loca, Caracas 1071,	
(include Zip Code)	Venezuela	

FOR ADDITIONAL INVENTORS, "X" box  and proceed on the attached page to list each additional inventor.

See additional foreign priorities on attached page (incorporated herein by reference).

Atty. Dkt. No. PMS 266848

(M#)



**DECLARATION AND POWER OF ATTORNEY**

(continued)

**ADDITIONAL INVENTORS:**

**(3) INVENTOR'S SIGNATURE:**

Date:

First		Middle Initial	Family Name
Residence	Caracas	Venezuela	Venezuela
City		State/Foreign Country	
Post Office Address (include Zip Code)		Anatomia patologica y citologia, Avenida sucre de los dos caminos, residencia yutaje, pb. loca, Caracas 1071, Venezuela	

**(4) INVENTOR'S SIGNATURE:**

Date: *January 26, 2001*

First		Middle Initial	Family Name
Residence	Knoxville	Tennessee	U.S.A.
City		State/Foreign Country	
Post Office Address (include Zip Code)		10908 McBride Lane, Suite A, Knoxville, Tennessee 37932	

**(5) INVENTOR'S SIGNATURE:**

Date:

First		Middle Initial	Family Name
Residence			
City		State/Foreign Country	
Post Office Address (include Zip Code)			

**(6) INVENTOR'S SIGNATURE:**

Date:

First		Middle Initial	Family Name
Residence			
City		State/Foreign Country	
Post Office Address (include Zip Code)			

**(7) INVENTOR'S SIGNATURE:**

Date:

First		Middle Initial	Family Name
Residence			
City		State/Foreign Country	
Post Office Address (include Zip Code)			

**(8) INVENTOR'S SIGNATURE:**

Date:

First		Middle Initial	Family Name
Residence			
City		State/Foreign Country	
Post Office Address (include Zip Code)			

**(9) INVENTOR'S SIGNATURE:**

Date:

First		Middle Initial	Family Name
Residence			
City		State/Foreign Country	
Post Office Address (include Zip Code)			

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## FILING COMPLETION UNDER RULE 53(f)



( NOT PCT Applications)

For Design, Provisional, or Utility Applications

PATENT  
APPLICATIONCOMPLETION Under  
Rule 53(f)

In re PATENT APPLICATION of

Inventor(s): MORALES et al.

Appln. No.: 09

735,918

Series Code ↑

Serial No. ↑

Atty.Dkt.

P

0266848

M#

UM 1997-35AB

Client Ref

Attn: Application Division

Filed: December 14, 2000

Title: RAPID TISSUE PROCESSOR

Hon. Commissioner of Patents  
Washington, DC 20231

Date: June 26, 2001

Sir:  
The following completes the filing under Rule 53(f) of the above-identified patent application:

1. **Notice to File Missing Parts**  copy attached  not yet received  
 2.  Signed Declaration attached.  Original  Facsimile/Copy

(Always "X" box 2 if filing signed Declaration and  
 "X" box 2A only if top box of the Declaration is X'd and file application copy, or  
 "X" box 2B only if none of the top three boxes of the Declaration is X'd.)

2A.  Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.

2B.  The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.

3.  Specification originally filed in non-English language; hence verified translation attached of:  
 a.  Abstract  
 b. #  pages of Specification(only spec. & claims)  
 c.  Drawing(s)  No of Sheets  
 Fig(s). \_\_\_\_\_

4.  Letter filing formal drawing attached.

5.  Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.

6. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1) 60/170,545	December 14, 1999	(2) 09/136292	August 19, 1998
(3) 60/056,102	August 20, 1997	(4)	
(5)		(6)	

7. FOREIGN priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in \_\_\_\_\_

8.

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

#3

9. (No.) Certified copy (copies):  attached;  previously filed (date) \_\_\_\_\_  
in U.S. Application No. / \_\_\_\_\_ filed on \_\_\_\_\_

10. Small Entity Status   is Not claimed  is claimed (file PAT-256 if this is the first claim of Small Entity Status)

11.  Attached: International Search Report, Form PTO-1449 and cited documents.

12.  Preliminary Amendment:

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED**

				Large/Small Entity	Fee Code
13. Basic Filing Fee .....		Design Application Not Design Application	\$320/\$160 \$710/\$355	+710	106/26 101/201
14. Total Effective Claims	28	minus 20 =	8	x \$18/\$9	+144
15. Independent Claims	3	minus 3 =	0	x \$80/\$40	+0
16. If any proper multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)			\$270/\$135	+0	104/204
17. Surcharge for filing Declaration/filing fee late			\$130/\$65	+130	105/205
18.			FILING FEE ENCLOSED =	\$984	
19. Original due date:					
20. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo) (2 mos) (3 mos) (4 mos)	\$110/\$55 = \$390/\$195 = \$890/\$445 = \$1390/\$695 =	+0	115/215 116/216 117/217 118/218
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee .....			\$130	+0	139
22. If "assignment" box 5 is X'd, add recording fee. ....			\$40	+40	581
23. Petition Fee for			\$130	+0	
24.			TOTAL FEE ENCLOSED =	\$1024	

Our Deposit Account No. 03-3975

Our Order No. 070373

0266848

C#

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP  
Intellectual Property Group**

1600 Tysons Boulevard  
McLean, VA 22102  
Tel: (703) 905-2000

By Atty: Gary R. Tanigawa Reg. No. 43,180

Sig: 

Fax: (703) 905-2196  
Tel: (703) 905-2500

Atty/Sec: GRT/tis:nlh

**NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments**